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-4 JAN 2006

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/520,904

Filing Date

International Filing Date: November 27, 2002

First Named Inventor

Jalal HAWARI et al.

Art Unit

Examiner Name

Attorney Docket Number

PAT 789W-2

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):- Response to Notice of Defective
Response

- Forms PCT/IB/306 (3)

- Copy of Notice

Remarks

ATTENTION: MAILSTOP MISSING PARTS

Fax No.: 703-305-3230

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Borden Ladner Gervais LLP

Signature

Printed name

Gail C. Silver

Date

January 4, 2006

Reg. No.

47,945

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Gail C. Silver

Date

January 4, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: HAWARI, Jalal; HALASZ, Annamaria; BALAKRISHNAN, Vimal;
BHUSHAN, Bharat; SPAIN, Jim, C.; ZHAO, Jian-Shen; FOURNIER,
Diane
Serial No.: 10/520,904
Filed: November 27, 2002
Title: DEGRADATION OF CYCLIC NITRAMINES
Group:
Examiner:
Attorney Ref.: PAT 789W-2 US

January 4, 2006

Commissioner for Patents
United States Patent and Trademark Office
Customer Service Window
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Randolph Building
401 Dulany Street
Alexandria, Virginia
22314
U.S.A.

Dear Sir:

RESPONSE TO NOTICE OF DEFECTIVE RESPONSE

This letter is in response to the Notice of Defective Response dated December 5, 2005.

The Notification indicates that inventors 5 to 7 named on the Declaration (inventors Zhao, Spain and Fournier) are not identified on any documents other than the Declaration they executed. In response, it is respectfully submitted that these inventors were identified as such in prosecution of this application in the International Phase. As evidence of this, we attach copies of three PCT/IB/306 forms issued by the International Bureau identifying these three inventors.

It is respectfully submitted that this completes the response as required. It is further respectfully submitted that as the PCT/IB/306 forms issued well before the October 15, 2005 due date, no extension fee is required.


The Commissioner is hereby authorized to charge any additional fees, and credit any over payments to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

PAT 789W-2
Page 2

We await confirmation of receipt of the enclosed document in due course.

Respectfully submitted,

Jalal HAWARI et al.

By: 
Gail C. Silver
Reg. No. 47,945
Borden Ladner Gervais LLP
100 Queen Street, Suite 1100
Ottawa, ON
Canada K1P 1J9
Tel: (613) 237-5160
Fax: (613) 787-3558
E-mail: ipinfo@blgcanada.com

DLC/JLD/jld

Encls.

1. Forms PCT/IB/306 (3)
2. Copy of Notice

PCT/CA2002/001799

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

CONN, David, L.
Borden Ladner Gervais LLP
World Exchange Plaza
100 Queen Street, Suite 1100
Ottawa, Ontario K1P 1J9
Canada

COPY PCT 789W-2 ✓ US Para/DLC

Date of mailing (day/month/year) 06 February 2005 (06.02.2005)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference PAT 789W-90 ✓ PCT/Para/DLC	
International application No. PCT/CA2002/001799 ✓	
International filing date (day/month/year) 27 November 2002 (27.11.2002) ✓	

1. The following indications appeared on record concerning:

☒ the applicant☒ the inventor☐ the agent☐ the common representative

Name and Address

State of Nationality

State of Residence

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person☒ the name☒ the address☐ the nationality☐ the residence

Name and Address

FOURNIER, Diane
408 3e Avenue
Deux-Montagnes, Quebec J7R 3A4
Canada

State of Nationality

CA

State of Residence

CA

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

The person identified in Box 2 should be added to the records as inventor for all designated states and applicant for US only. The request for recording of above change was received by the International Bureau between 20 and 30 months from the priority date.

4. A copy of this notification has been sent to:

☒ the receiving Office☐ the International Searching Authority☐ the International Preliminary Examining Authority☒ the designated Offices concerned☐ the elected Offices concerned☐ other:The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 338.89.86

Authorized officer

R.BEN GHACHEM (Fax 338-8995)

Telephone No. (41-22) 338 8762

006582041

Form PCT/IB/306 (March 1994)

BEST AVAILABLE COPY

RECEIVED

MAR 05 2004

Borden Ladner Gervais LLP / s.r.l.

PATENT COOPERATION TREATY**PCT**

From the INTERNATIONAL BUREAU

To:

CONN, David, L.
Borden Ladner Gervais LLP
World Exchange Plaza
100 Queen Street, Suite 1100
Ottawa, Ontario K1P 1J9
Canada

**NOTIFICATION OF THE RECORDING
OF A CHANGE**

(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

Date of mailing (day/month/year)

24 February 2004 (24.02.2004)

Applicant's or agent's file reference

PAT 789W-90 ✓ JLD / PLC

International application No.

PCT/CA2002/001799

IMPORTANT NOTIFICATION

International filing date (day/month/year)

27 November 2002 (27.11.2002)

1. The following indications appeared on record concerning:

☒ the applicant☒ the inventor☐ the agent☐ the common representative

Name and Address

State of Nationality

State of Residence

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person☒ the name☒ the address☒ the nationality☒ the residence

Name and Address

SPAIN, Jim, C.
164 Lauren Ln.
Panama City, FL 32404
United States of America

State of Nationality

US

State of Residence

US

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

Additional applicant/inventor for the US only.

4. A copy of this notification has been sent to:

☒ the receiving Office☐ the International Searching Authority☐ the International Preliminary Examining Authority☒ the designated Offices concerned☐ the elected Offices concerned☐ other:

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 338.89.95

Authorized officer

Miki KOBAYASHI (Fax 338-8995)

Telephone No. (41-22) 338 9401

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

CONN, David, L.
Borden Ladner Gervais LLP
World Exchange Plaza
100 Queen Street, Suite 1100
Ottawa, Ontario K1P 1J9
Canada

Date of mailing (day/month/year) 24 February 2004 (24.02.2004)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference PAT 789W-90	
International application No. PCT/CA2002/001799	International filing date (day/month/year) 27 November 2002 (27.11.2002)

1. The following indications appeared on record concerning:

☒ the applicant ☒ the inventor ☐ the agent ☐ the common representative

Name and Address	State of Nationality	State of Residence
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person ☒ the name ☒ the address ☒ the nationality ☒ the residence

Name and Address ZHAO, Jian-Shen 212-2839 Cote Vertu Blvd. St Laurent, Quebec H4R 1P7 Canada	State of Nationality CA	State of Residence CA
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

3. Further observations, if necessary:
Additional applicant/inventor for the US only.

4. A copy of this notification has been sent to:

☒ the receiving Office ☒ the designated Offices concerned
☐ the International Searching Authority ☐ the elected Offices concerned
☐ the International Preliminary Examining Authority ☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Miki KOBAYASHI (Fax 338-8995)
Facsimile No. (41-22) 338.89.95	Telephone No. (41-22) 338 9401



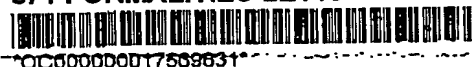
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1418
 Alexandria, Virginia 22313-1418
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/520,904	FIRST NAMED APPLICANT Jalal Hawari	ATTY. DOCKET NO. PAT 789W-2
INTERNATIONAL APPLICATION NO. PCT/CA02/01799		
I.A. FILING DATE 11/27/2002		PRIORITY DATE 07/12/2002

42534
 BORDEN LADNER GERVAIS LLP
 1100-100 QUEEN ST
 OTTAWA, ON K1P 1J9
 CANADA

CONFIRMATION NO. 4810
 371 FORMALITIES LETTER



OC000000017589631

Date Mailed: 12/05/2005

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 01/11/2005
- Copy of the International Search Report filed on 01/11/2005
- Oath or Declaration filed on 09/09/2005
- Request for Immediate Examination filed on 01/11/2005
- U.S. Basic National Fees filed on 01/11/2005
- Priority Documents filed on 01/11/2005

Applicant's response filed 09/09/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/15/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - Inventors 5 thru 7 have not been identified on any documents other than the declaration they executed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,904	PCT/CA02/01799	PAT 789W-2

FORM PCT/DO/EO/916 (371 Formalities Notice)